



General Assembly

Substitute Bill No. 6677

January Session, 2013



**AN ACT CONCERNING THE IMPOSITION OF A COMMUNITY
SERVICE REQUIREMENT UPON A MINOR WHO PURCHASES
TOBACCO PRODUCTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 53-344 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (c) Any person under eighteen years of age who purchases or
5 misrepresents such person's age to purchase tobacco in any form or
6 possesses tobacco in any form in any public place shall (1) be fined not
7 more than [fifty] one hundred dollars for the first offense and not less
8 than [fifty] one hundred dollars or more than one hundred fifty dollars
9 for each subsequent offense, or (2) perform community service, as set
10 forth in section 2 of this act, for a period of time not to exceed twenty
11 hours. For purposes of this subsection, "public place" means any area
12 that is used or held out for use by the public whether owned or
13 operated by public or private interests.

14 Sec. 2. (NEW) (*Effective October 1, 2013*) (a) As used in this section,
15 and subsection (c) of section 53-344 of the general statutes, as amended
16 by this act:

17 (1) "Community service" means placement by the superior court for

18 juvenile matters of a minor child, found to have violated the provisions
19 of subsection (c) of section 53-344 of the general statutes, as amended
20 by this act, in an unpaid position with a nonprofit or tax-supported
21 agency for the performance of not more than twenty hours of work
22 related to the promotion of public health.

23 (2) "Community service plan" means an agreement between the
24 court and the parents or legal guardian of a minor child which
25 specifies (A) the number of required community service hours to be
26 performed by the minor child, (B) the agency where the community
27 service is to be performed, (C) the period of time in which the
28 community service shall be completed, (D) the tentative schedule for
29 completion of the community service, (E) a brief description of the
30 minor child's responsibilities, (F) conditions and sanctions for failure to
31 fulfill the plan, and (G) the supervisor of the plan.

32 (3) "Court" means the superior court for juvenile matters.

33 (b) When requiring a minor child to perform community service, the
34 court shall fix the terms and conditions of the community service,
35 review the community service plan and, upon approval of such plan,
36 order the minor child to complete the community service in
37 accordance with such plan. No community service plan shall be
38 approved by the court unless a parent or legal guardian of the minor
39 child provides written consent to the terms and conditions of the plan.

40 (c) Any nonprofit or tax-supported agency administering
41 community service shall review the terms and conditions of any
42 community service plan being administered by such agency and shall
43 provide written notification to the court when a minor child has
44 successfully completed such plan. Such notification shall be provided
45 to the court not later than thirty days after the date of completion of
46 the community service.

47 (d) In the event of a minor's noncompliance with the terms and
48 conditions of a community service plan, the nonprofit or tax-supported

49 agency administering the community service shall (1) prepare a
50 written statement identifying the minor's acts of noncompliance, and
51 (2) not later than thirty days after making a determination that the
52 minor is noncompliant with the terms and conditions of the
53 community service plan, provide such statement to the court along
54 with a request that community service be terminated and the matter be
55 returned to the court for further disposition.

56 Sec. 3. Subsection (b) of section 51-164n of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective*
58 *October 1, 2013*):

59 (b) Notwithstanding any provision of the general statutes, any
60 person who is alleged to have committed (1) a violation under the
61 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
62 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
63 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
64 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
65 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
66 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
67 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
68 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
69 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
70 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
71 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
72 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
73 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
74 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
75 14-153 or 14-163b, a first violation as specified in subsection (f) of
76 section 14-164i, section 14-219 as specified in subsection (e) of said
77 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
78 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
79 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
80 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
81 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of

82 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
 83 subsection (a) of section 15-115, section 16-44, 16-256, 16-256e, 16a-15 or
 84 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,
 85 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-
 86 734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or
 87 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-
 88 107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-
 89 297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-
 90 425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-
 91 324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39,
 92 21-43, 21-47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19,
 93 section 21a-21, subdivision (1) of subsection (b) of section 21a-25,
 94 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
 95 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section
 96 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
 97 subsection (a) of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15,
 98 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-
 99 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-
 100 111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-
 101 342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366,
 102 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
 103 section 22a-250, subsection (e) of section 22a-256h, section 22a-363, 22a-
 104 381d, 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or
 105 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
 106 subsection (a) of section 25-43, section 25-135, 26-18, 26-19, 26-21, 26-31,
 107 26-40, 26-40a, 26-42, 26-49, 26-54, 26-56, 26-58 or 26-59, subdivision (1)
 108 of subsection (d) of section 26-61, section 26-64, subdivision (1) of
 109 section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-
 110 104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138 or 26-141,
 111 subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-
 112 224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-232,
 113 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294,
 114 28-13, 29-6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a, subsection (b),
 115 (d), (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision
 116 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of

117 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-
 118 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-
 119 32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52,
 120 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
 121 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
 122 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-
 123 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of
 124 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-
 125 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
 126 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 [, 53-344] or 53-
 127 450, or (2) a violation under the provisions of chapter 268, or (3) a
 128 violation of any regulation adopted in accordance with the provisions
 129 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
 130 regulation or bylaw of any town, city or borough, except violations of
 131 building codes and the health code, for which the penalty exceeds
 132 ninety dollars but does not exceed two hundred fifty dollars, unless
 133 such town, city or borough has established a payment and hearing
 134 procedure for such violation pursuant to section 7-152c, shall follow
 135 the procedures set forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	53-344(c)
Sec. 2	October 1, 2013	New section
Sec. 3	October 1, 2013	51-164n(b)

JUD *Joint Favorable Subst.*